
BACKGROUND AND HISTORY OF THE OFFICE OF CIVIL RIGHTS

History of the Office of Civil Rights

In response to passage of the Civil Rights Act of 1964, USDA established an Office of Equal Opportunity. The Equal Employment Opportunity (EEO) functions were assigned to the USDA Office of Personnel in 1968. Over the next 12 years, office titles, organizational structures, and placement of civil rights functions changed numerous times. There was a corresponding inconsistency in the level of Departmental leadership and policy guidance in civil rights during this same period.

Beginning in the early 1980s, there was a reduction in USDA civil rights activities. Enforcement of civil rights laws in USDA programs declined to an unacceptable level, according to the U.S. Commission on Civil Rights Report on Title VI Enforcement (June 1996, p. 255). Similarly, the status of employment complaints processing declined during this time. The number of employment complaints continued to increase despite special initiatives and efforts aimed at resolution.

In response to demands and criticisms from the public and various government entities, CR was expanded in the mid-1990s. By 1996, most EEO and civil rights functions were reorganized into Policy Analysis and Coordination Center, and the Civil Rights Enforcement and Adjudication Division of the Office of Operations, with 164 full-time equivalent (FTE) positions. Despite previous efforts, CR has not been able to solve fundamental problems associated with timely processing of complaints, and timely delivery of services. Widespread criticism of CR continues.

The Civil Rights Action Team (CRAT)

In 1996, Secretary Glickman appointed a Civil Rights Action Team (CRAT) to develop recommendations to address the institutional and underlying civil rights problems, and ensure accountability throughout USDA. This action was taken in response to concerns expressed by the Congress, mounting protests by groups protected by civil rights laws, and issues identified in a series of class action discrimination suits filed by customers and employees.

The CRAT Report

The *February 1997 CRAT Report* was based upon a review of approximately 50 published civil rights reports and information derived from 12 listening sessions held in geographically diverse sections of the nation. The *CRAT Report* provided 92 recommendations to "improve USDA's ability to serve all its customers and fully use the potential of every USDA employee."

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The CRAT Report, continued

The CRAT Report heightened awareness of civil rights problems throughout USDA. Although some positive changes resulted, not all of the recommendations that were implemented had an immediate or dramatic impact on overall conditions.

Office of Inspector General (OIG) Audits

Since 1997, the Office of Inspector General has conducted seven audits of the CR. These audits have criticized the inefficient management of civil rights functions, particularly the processing of complaints. Audit Report No. 60801-4-Hq, published in March 2000, concludes that, "unless CR implements a management plan that addresses effective leadership, changing organizational culture, customer focus, and process re-engineering, we question whether future complaints of discrimination. . .will receive due care."

Effect on Public Perception

As a result of the untimely processing of employment and program complaints, the public and USDA employees have lost trust in CR's ability to provide due process.

Effect of Program Administration

Because of the:

- insufficient staff and material resources
- inconsistent leadership
- inefficient systems and processes, and
- lack of the necessary knowledge and skills required by some disciplines,

CR continues to be unable to meet the statutory time requirements for processing program and employment complaints. This has resulted in the inability to meet normal complaint workload demands, a perpetual complaint backlog and severe internal and external criticism.

Effect on Employees

Employee morale in CR is low and staff turnover is constant. Continuous changes in management strategies and public criticism from customers, USDA employees, and Congress have:

- contributed to a public perception that USDA is not a desirable place to work, and
 - served as barriers to recruitment and retention of highly talented professionals.
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**Effect on
Employees,**
continued

A positive change in employee morale will result if CR is endowed with:

- a removal of impediments that hamper work accomplishments
 - consistent leadership that inspires trust and respect, and
 - a sustained allocation of resources to accomplish the work.
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